



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,001	10/19/2001	Eric G. Del Mar	072827-2002	1012
7590 08/12/2004				
Richard San Pietro FOLEY & LARDNER P.O. Box 80278 San Diego, CA 92138-0278		EXAMINER RAYMOND, RICHARD L		
		ART UNIT 1624		PAPER NUMBER

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/033,001	DEL MAR ET AL.	
	Examiner	Art Unit	
	Richard L. Raymond	1624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 25 June 2004 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.


c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☒ entered in part. See explanation below.

The requested amendment to claim 40 has been entered. The requested amendment of the status paragraph has not been entered. Instead, an amended status paragraph conforming to the required format of the office bib sheet and containing the updated status of the parent applications has been entered in the accompanying examiner's amendment.


Richard L. Raymond
Primary Examiner
Art Unit: 1624

Art Unit: 1624

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. On page 1 of the specification, lines 5-8 (the status paragraph) has been rewritten as follows:

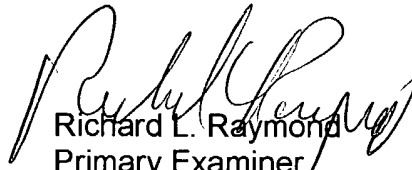
-- This application is a divisional of U.S. Serial No. 09/132,179, filed August 11, 1998, now U.S. Patent No. 6,521,667, which is a continuation-in-part of U.S. application Serial No. 08/832,984, filed April 4, 1997, now U.S. Patent No. 6,022,894, which is a continuation-in-part of U.S. application Serial No. 08/629,608, filed April 9, 1996, now abandoned, and claims benefit of U.S. Provisional Application 60/032,263, filed December 3, 1996. ---

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard L. Raymond whose telephone number is (571) 272-0673. The examiner can normally be reached on maxi-flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mukund Shah can be reached on (571) 272-0674. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Richard L. Raymond
Primary Examiner
Art Unit 1624

rr
August 9, 2004